

ZB# 07-01

Yury Matsuka

77-1-6

ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, N.Y. 12553

Granted 12 March 07

07-01

YUKI MATSUKA (AREA)
2648 LIBERTY RIDGE (77-1-6)

In the Matter of the Application of

YURI MATSUKA

**MEMORANDUM OF
DECISION GRANTING
AREA VARIANCE**

#07-01

WHEREAS, YURI MATSUKA, residing at 2648 Liberty Ridge, New Windsor, N.Y. 12553, has made application before the Zoning Board of request for a 10 ft. Rear Yard Setback for proposed 12' X 17' rear Deck at the above residence; and

WHEREAS, a public hearing was held on the 12th day of March, 2007 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, Applicant represented himself before the Board; and

WHEREAS, there was no members of the public at the public hearing; and

WHEREAS, no one spoke in favor of or in opposition to the application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and in The Sentinel, also required by law.

2. The evidence presented by the Applicant showed that:

(a) The property is a family home located in a neighborhood of one family homes. The Applicant seeks to permit the construction of a rear deck.

(b) The deck will not be on top of nor will it interfere with any easements or rights of way.

(c) The deck will not create the ponding or collection of water or divert the flow of water drainage.

(d) The deck will be no bigger than other decks in the neighborhood. It will be similar in appearance to other decks in the neighborhood.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variances will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.

2. There is no other feasible method available to the Applicant which can produce the benefits sought.

3. The variances requested are not substantial in relation to the Town regulations but nevertheless are warranted.

4. The requested variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.

5. The difficulty the Applicant faces in conforming to the bulk regulations is not self-created.

6. The benefit to the Applicant, if the requested variances are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.

7. The requested variances are appropriate and are the minimum variances necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

8. The interests of justice will be served by allowing the granting of the requested area variances.

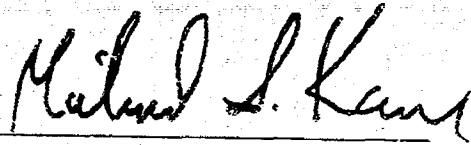
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a 10 ft. Rear Yard Setback for proposed 12' X 17' rear Deck at the above residence as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and Applicant.

Dated: August 10, 2007

A handwritten signature in dark ink, appearing to read "Michael S. Kemp", is written over a horizontal line.

Chairman

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
OFFICE
845-563-4615**

MEMORANDUM

TO: LARRY REIS, COMPTROLLER
FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD
DATE: OCTOBER 4, 2007
SUBJECT: ESCROW REFUND

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 175.50 TO CLOSE OUT
ESCROW FOR:**

ZBA FILE #07-01

NAME & ADDRESS:

**Yury Matsuka
2648 Liberty Ridge
New Windsor, NY 12553**

THANK YOU,

MYRA

J.F.10-04-07



**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
RECORD OF CHARGES & PAYMENTS**



FILE #07-01 TYPE: AREA TELEPHONE: 569-1629

APPLICANT:

Yury Matsuka
2648 Liberty Ridge
New Windsor, NY 12553

RESIDENTIAL:	\$ 50.00	CHECK # <u>1459</u>
COMMERCIAL	\$ 150.00	CHECK # _____
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW: RESIDENTIAL \$300.00 CHECK # 1460



<u>DISBURSEMENTS:</u>		MINUTES \$7.00 / PAGE	ATTORNEY FEE
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PRELIMINARY:	<u>4</u>	PAGES	\$ <u>28.00</u>	\$ <u>35.00</u>
2 ND PRELIMINARY:	—	PAGES	\$ _____	\$ _____
PUBLIC HEARING:	<u>2</u>	PAGES	\$ <u>14.99</u>	\$ <u>35.00</u>
PUBLIC HEARING:	—	PAGES	\$ _____	\$ _____

LEGAL AD: Publish Date: 03-02-07 \$ 11.51

TOTAL: \$ 54.50 \$ 70.00



ESCROW POSTED: \$ 300.00
LESS: DISBURSEMENTS: \$ 124.50

AMOUNT DUE: \$ _____

REFUND DUE: \$ 175.50

Cc:

J.F. 10-04-07

**OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK**

COPY

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (845) 563-4630 TO
MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

DATE: November 2, 2006

**APPLICANT: Yury Matuska
2648 Liberty Ridge
New Windsor, NY 12553**

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 11/1/06

FOR : Proposed 12x17ft. attached rear deck.

LOCATED AT: 2648 Liberty Ridge

ZONE: R-3 Sec/Blk/ Lot: 77-1-6

DESCRIPTION OF EXISTING SITE: Existing one family house.

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

- 1. Proposed 12x17 ft. rear deck will not meet minimum 30ft. rear yard set-back.**


BUILDING INSPECTOR

PERMITTED

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-3 USE: Bulk Tables

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

REQ'D SIDE YD:

REQ'D TOTAL SIDE TD:

REQ'D REAR YD: See approved site plan 30' 20' 10'

REQ'D FRONTAGE:

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS

IMPORTANT

MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Acord- liab.
C 105.2 or
U26.3 Work comp

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

Frank

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and under slab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection time.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and permit fee.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and there is no fee for this.

FOR OFFICE USE ONLY:
Building Permit #: 2006-1076

AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises

MA^{VADY} MATSUKA

Address

2648 Liberty Ridge

Phone #

602-8366
569-1629

Mailing Address

Fax #

Name of Architect

Address

Phone

Name of Contractor

A. Rose Design Inc.

Send
info

70

Address P.O. Box #2 WESTTOWN N.Y. 10998 Phone 845-726-4677

State whether applicant is owner, lessee, agent, architect, engineer or builder Builder

If applicant is a corporation, signature of duly authorized officer.

Michael E. Dea (Production Manager)
(Name and title of corporate officer)

1. On what street is property located? On the SOUTH side of LIBERTY RIDGE
(N, S, E or W)
and 400 feet from the intersection of INDEPENDENCE DRIVE

2. Zone or use district in which premises are situated _____ is property a flood zone? Y _____ N _____

3. Tax Map Description: Section 77 Block 1 Lot 6

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy Home b. Intended use and occupancy Deck

5. Nature of work (check if applicable) ☐ New Bldg. ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☒ Other Rear Deck

6. Is this a corner lot? NO

7. Dimensions of entire new construction. Front 17' Rear _____ Depth 12' Height 30" No. of stories 1

8. If dwelling, number of dwelling units: _____ Number of dwelling units on each floor _____

Number of bedrooms _____ Baths _____ Toilets _____ Heating Plant: Gas _____ Oil _____
Electric/Hot Air _____ Hot Water _____ # Garage, number of cars _____

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____

10. Estimated cost \$6,400.00 Fee \$50.00

PAID

ZONING BOARD

CHK# 1881

date

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock
Asst. Inspectors: Frank Liel & Louis Krychew
New Windsor Town Hall
866 Union Avenue
New Windsor, New York 12693
(845) 863-4818
(845) 863-4888 FAX

Site Map Examined _____
Fire Map Examined _____
Approved _____
Disapproved _____
Permit No. _____

INSTRUCTIONS

- This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- The work covered by this application may not be commenced before the issuance of a Building Permit.
- Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and codes and certifies that he is the owner or agent of all that certain lot, place or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

(Signature of Applicant)

(Owner's Signature)

PROSPECTIVE MANAGER
A. ROSE DESIGN, INC.

(Address of Applicant)

(Owner's Address)

PLOT PLAN

NOTE:

Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.

N

W

E

9

COPY SENT

G

LIBERTY RIDGE STREET

104 2 (2) 104	104 CO 7/20/03 (3)	104 CO 7/8/04 (4)	104 CO 7/30/04 (5)	104 6 1 CO 7/23/04 (6)	104 7 CO 8/20/04 (7)	104 8 CO 10/29/03 (8)	CO 7/1/04
CO 12/30/03 22 100	CO 4/15/04 21 100	CO 3/22/04 20 100	CO 3/12/04 19 100	CO 5/10/04 18 100	CO 2/10/04 17 100	CO 3/5/04 16 100	

I

Cherry Tree STREET Way

CO 12/30/03 (3)	CO 12/22/03 (4)	CO 12/26/03 (5)	CO 5/11/06 (6)	CO 3/26/07 (7)	CO 3/11/04 (8)	CO 1/7/04 (9)	CO 1/13/04
CO 10/18/03 25 100	CO 9/22/03 24 100	CO 8/25/03 23 100	CO 8/25/03 22 100	CO 10/31/03 21 100	CO 8/28/03 20 100	CO 8/16/03 19 100	CO 10/3/03

H

Colonial Drive STREET

100 3 CO 8/4/03	100 CO 12/22/03 (4)	100 CO 8/28/03 (5)	100 CO 11/14/03 (6)	100 CO 7/31/03 (7)	100 CO 10/22/03 (8)	100 CO 10/31/03 (9)	CO 6/19/03
CO 3/24/03 17 20	CO 4/7/03 26 100	CO 8/15/02 25 100	CO 3/11/03 24 100	CO 5/21/03 23 100	CO 3/19/03 22 100	CO 4/11/03 21	CO 12/01/03 20

Liberty Ridge STREET

79.8 100 1 CO 3/7/03 118.9 (1) 125.4	100 2 CO 12/12/02 119.7 (2) 100	100 3 CO 1/30/03 (3) 100	120.5 CO 12/17/02 121.3 (4) 7 100	100 5 CO 11/8/03 (5) 100	100 6 CO 1/23/03 (6) 100	100 7 CO 12/10/02 (7) 100	100 8 CO 1/31/03 (8) 100
118 CO 8/16/02 160.3 (18)	117 CO 11/9/02 100 (17)	124 CO 12/4/02 100 (16)	112 CO 11/20/02 100 (15) L	100 CO 12/4/02 100 (14)	100 CO 10/29/02 100 (13)	100 CO 11/1/02 100 (12)	100 CO 10/21/02 100 (11)
18	17	16	15	14	13	12	11

K

Constitution Way STREET

7 CO 1/10/02 8 (2) 100	100 2 CO 11/16/02 (3) 100	100 3 CO 9/30/02 (4) 8 100	100 4 CO 8/18/02 (5) 100	100 5 CO 10/17/02 100	100 6 CO 10/31/02 100	100 7 CO 10/31/02 100	100 8 CO 10/31/02 100
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LEADER IN INSTRUCTION

SIDEWALK

UNDERGROUND UTILITIES

PAVED
DRIVE

2 STORY
FRAMED
DWELLING

QUESTIONS

A triangular marker with the text "F.M. 107" at the top and the number "5" in the center.

100 001
N 06° 41' - 09" E

100.00'

AREA:
0.239 Ac.±

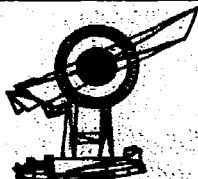
TAX MAP REFERENCE:

TOWN OF NEW WINDSOR
SECT. 77, BLK. 1, LOT 6

FILED MAP REFERENCE:

BEING LOT 6, BLOCK 7 OF A FILED SUBDIVISION
MAP ENTITLED "MOUNT AIRE ESTATES" AND
FILED IN THE ORANGE COUNTY CLERK'S OFFICE
AS MAP #3485 ON JUNE 20, 1975.

NY
J
C



LEO J. CARROLL, P.E., L.S.
& ASSOCIATES

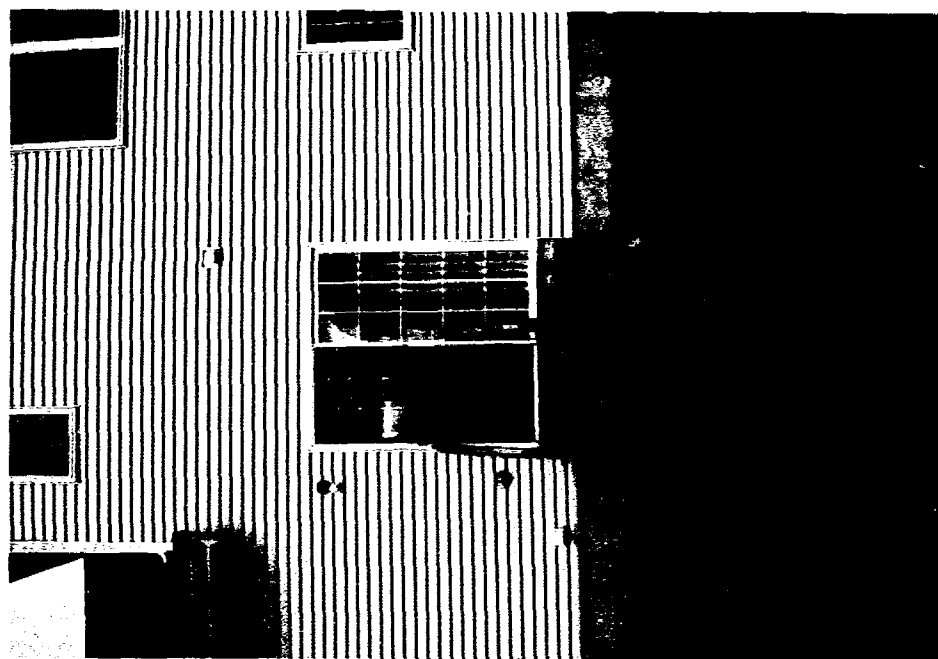
83 Cemetery Rd, Middletown, NY 10940 (845) 343-7994

PROPERTY SURVEY

FOR:
YURY MATSUKA
LIBERTY RIDGE
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

REVISED:
7-19-04
8-2-04

SCALE: 1" = 20'
DATE: 4-23-03
DRAWN: J.E.S.
CHECKED: S.L.P.
SHEET NO. 1



PRELIMINARY MEETINGS:

YURY MATSUKA (07-01)

MR. KANE: Request for 10 ft. rear yard setback for proposed 12' x 17 rear deck at 2048 Liberty Ridge (The Reserve).

Mr. Yury Matsuka appeared before the board for this proposal.

MR. KANE: Hi. So you know what the Town of New Windsor does is that we hold two meetings, one preliminary meeting so that we can get an idea of what you want to do and you can get an idea of what we need you to do to get that accomplished. Some towns they do it in one meeting and if you don't have everything you need you lose. So this is the way we do it and the next one will be a public hearing and it generally will be the same type of questions and then in a public thing we'll open it up to the public for any questions from your neighbors or anybody that has any concerns at that point. So again, just speak loud enough for this young lady over here to hear you and tell us what you want to do, sir.

MR. MATSUKA: I want to build the deck and you have the dimensions of this deck and essentially it's about 30 inches above the ground and it will be in the back yard of course.

MR. KANE: The deck going to be, some questions even looking at the pictures still have to ask, cutting down any trees or substantial vegetation in the building of the deck?

MR. MATSUKA: No.

MR. KANE: Creating any runoffs or water hazards in the building of deck?

January 8, 2007

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MR. MATSUKA: No.

MR. KANE: Will the deck be similar in size and nature to other decks that are in your neighborhood?

MR. MATSUKA: I would say probably smaller.

MS. KANE: Safe to say that you do have a short set of steps coming out a rear door, the deck will take the place of those steps?

MR. MATSUKA: That's correct.

MR. KANE: You consider the deck to be a better safety situation than the stairs are currently?

MR. MATSUKA: That's for sure, these stairs are not safe at all.

MR. TORPEY: Are you the contractor?

MR. MATSUKA: No, I'm not the contractor, I'm the owner. Mike is the contractor.

MR. TORPEY: I didn't know who you were.

MR. MATSUKA: Michael?

MR. DOW: Michael Dow, I'm the project manager for Rose and Son which is the contractor for him.

MR. KANE: And you understand that if the variance is approved here that still means you have to meet all the rules and regulations from the building department?

MR. DOW: Yes.

MR. MATSUKA: Yes.

January 8, 2007

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MR. KANE: Pretty clear cut. Any easements running through your property or where the deck is going to be?

MR. DOW: I don't believe so.

MR. KANE: I don't believe so either.

MR. MATSUKA: I'm not sure, I don't know.

MR. KRIEGER: Municipal water and sewer?

MR. DOW: No, they're all up front.

MR. KRIEGER: Electric coming to the house up front?

MR. DOW: Yes.

MR. KANE: According to this, it's still going to leave you 20 feet three inches to the fence from the back of the deck?

MR. MATSUKA: Yes.

MR. BABCOCK: We rounded that off to 20 foot just for paperwork.

MR. KANE: Any further questions from the board? We have pictures.

MR. TORPEY: It will look like all these other decks, right?

MR. DOW: There are several decks, just going to be basically like this.

MR. MATSUKA: There's a big deck on this property but I didn't take a picture to show it but there are several decks around.

MR. KANE: It looks like it's going to be 13 x 17 so it

January 8, 2007

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is coming out 13, 17 long?

MR. DOW: I believe 12 feet.

MR. BABCOCK: Twelve by seventeen, Mr. Chairman, just for the record, he would be allowed without a variance a 2.3 foot deck, that's all he's allowed.

MR. KANE: No further questions, I'll accept a motion.

MR. LUNSTROM: I will move that the application as stated on the agenda project number 70-01 be allowed to go forward to a public hearing.

MR. TORPEY: I will second that.

ROLL CALL

MS. GANN	AYE
MR. LUNDSTROM	AYE
MS. LOCEY	AYE
MR. TORPEY	AYE
MR. KANE	AYE

MR. KANE: You're all set up for a public hearing, we'll give you a sheet, just follow the directions. If you have any questions, give Myra a call.

MR. LUNSTROM: You realize you should do no work until you get a permit.

MR. MATSUKA: We understand that, sure.

March 12, 2007

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PUBLIC HEARINGS:

YURY MATSUKA (07-01)

MS. GANN: Public hearing Yuri Matsuka. Before I begin this public hearing, I'm sorry, sir, is there anybody here for this public hearing? There's no one here, okay.

MR. MATSUKA: I'm Yuri Matsuka and I'm here for variance to permit construction of rear deck at 2648 Liberty Ridge, New Windsor, New York and that's my place of residence.

MS. GANN: So I'm going to ask you a couple questions that might sound a little silly but we need to ask them. Will you be taking any substantial vegetation down in the building of the deck?

MR. MATSUKA: No.

MS. GANN: Building over any easements?

MR. MATSUKA: No.

MS. GANN: Create any water hazards in the building of the deck?

MR. MATSUKA: No.

MS. GANN: Did you start this already, did you start digging and putting footings?

MR. MATSUKA: No, they didn't start anything.

MS. GANN: This is your property right here?

MR. MATSUKA: Yes, that's my property and this property, different views.

March 12, 2007

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MS. GANN: Any other questions from the board?

MS. LOCEY: Do other homes in your neighborhood have similar size decks?

MR. MATSUKA: Some of my neighbors have bigger, larger decks.

MS. LOCEY: So it would fit into the contour of the character of the neighborhood?

MR. MATSUKA: Yes.

MS. GANN: I'd like to open up the public portion of this meeting and being as there's no one here for this meeting, I'm going to close the public portion and ask Myra how many mailings we had.

MS. MASON: On February 23, I mailed out 99 notices and had no responses.

MS. GANN: Other questions from the board? I'll accept a motion.

MS. LOCEY: I will offer a motion to grant the requested 10 foot rear yard setback on the application of Yury Matsuka for a proposed 12 x 17 rear deck at 2648 Liberty Ridge in an R-3 zone.

MR. TORPEY: I will second that.

ROLL CALL

MR. LUNDSTROM	AYE
MS. LOCEY	AYE
MR. TORPEY	AYE
MS. GANN	AYE

MR. MATSUKA: Thank you.



THE SENTINEL

P.O. BOX 406
VAILS GATE, NY 12584

Invoice

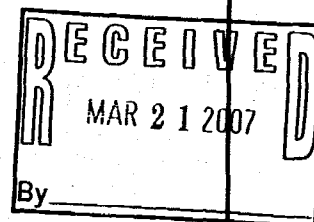
Date	Invoice #
3/12/2007	156

Bill To
TOWN OF NEW WINDSOR 555 UNION AVE NEW WINDSOR, NY 12553

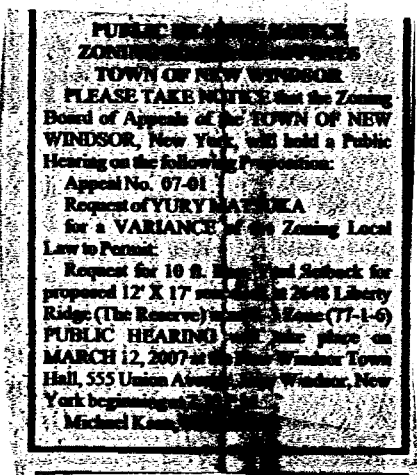
Almeida

P.O. No.	Terms	Project
48491		

Issue Date	Description	Rate	Amount
3/2/2007	LEGAL ADS: YURY MATSUKA APPEAL NO. 07-01	7.51	7.51
	1 AFFIDAVIT	4.00	4.00
		Total	\$11.51



✓ Posted



State of New York
County of Orange, ss:
Kathy Amanatides being duly
sworn disposes and says that she is
The Supervisor of Legal Dept. of
the E.W. Smith Publishing
Company; Inc. Publisher of The
Sentinel, a weekly newspaper
published and of general
circulation in the Town of New
Windsor, Town of Newburgh and
City of Newburgh and that the
notice of which the annexed is a
true copy was published in said
newspaper, 1x time(s)
commencing on
the 2 day of Mar. A.D., 2007
and ending on the 2 day of
Mar. A.D. 2007

Kathy Amanatides

Subscribed and shown to before
me this 16th day of Nov, 2007

Deborah Green
Notary Public of the State of New
York County of Orange.

DEBORAH GREEN
Notary Public, State of New York
Qualified in Orange County
#4984065
Commission Expires July 15, 09

My commission expires _____.



RESULTS OF Z.B.A. MEETING OF: March 12, 2007

PROJECT: Yury Matsuka ZBA # 07-01
P.B.# _____



USE VARIANCE: NEED: EAF PROXY

LEAD AGENCY: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____ CARRIED: Y _____ N _____

PUBLIC HEARING: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____ CARRIED: Y _____ N _____

NEGATIVE DEC: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____ CARRIED: Y _____ N _____

APPROVED: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____ CARRIED: Y _____ N _____

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____

CARRIED: Y _____ N _____

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES ☒

VARIANCE APPROVED: M) Lo S) 1 VOTE: A 4 N 0.

 GANN A
LUNDSTROM A
LOCEY A
TORPEY A
~~KANE~~ _____

CARRIED: Y _____ N _____

March 12, 2007 agenda.



RESULTS OF Z.B.A. MEETING OF: January 2007

PROJECT: Yury Matsuka ZBA # 07-01
P.B.# _____

P.B.# _____

USE VARIANCE: **NEED: EAF** _____ **PROXY** _____

LEAD AGENCY: M)_____S)_____ VOTE: A____N_____

GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____

CARRIED: Y _____ N _____

PUBLIC HEARING: M)_____ S)_____ VOTE: A_____ N_____

GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____ CARRIED: Y _____ N _____

NEGATIVE DEC: M)_____S)_____ VOTE: A___N___

GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____ CARRIED: Y _____ N _____

APPROVED: M)____**S)**____ **VOTE: A**____ **N**____

GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____ CARRIED: Y _____ N _____

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING: M) Lu S) 1 VOTE: A___ N___

GANN	A
LUNDSTROM	A
LOCEY	A
TORPEY	A
KANE	A

CARRIED: Y_____ N_____

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES

VARIANCE APPROVED: M)___ S)___ VOTE: A___ N___.

GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____

CARRIED: Y_____N_____.

[illegible]

TOWN OF NEW WINDSOR REQUEST FOR NOTIFICATION LIST

CHECKED BY MYRA: 01-08-07 mm

DATE: 01-08-07

PROJECT NUMBER: ZBA# 07-01 P.B. # _____

APPLICANT NAME: YURY MATSUKA

PERSON TO NOTIFY TO PICK UP LIST:

Yury Matsuka
2648 Liberty Ridge
New Windsor, NY 12553

TELEPHONE: 569-1629

TAX MAP NUMBER: SEC. 77 BLOCK 1 LOT 6
SEC. BLOCK LOT
SEC. B LOCK LOT

PROPERTY LOCATION: **2648 LIBERTY RIDGE**
NEW WINDSOR, NY

LIST OF PROPERTY OWNERS WITHIN 500 FT. FOR SITE PLANS/SUBDIVISION _____
(IS NOT PREPARED ON LABELS)

THIS LIST IS BEING REQUESTED BY:

NEW WINDSOR PLANNING BOARD: _____

SITE PLAN OR SUBDIVISION: (ABUTTING AND ACROSS ANY STREET _____)

SPECIAL PERMIT ONLY: (ANYONE WITHIN 500 FEET) _____

AGRICULTURAL DISTRICT:
(ANYONE WITHIN THE AG DISTRICT WHICH IS WITHIN 500'
OF SITE PLAN OR SUBDIVISION PROJECT)

NEW WINDSOR ZONING BOARD **XXX**

LIST WILL CONSIST OF ALL PROPERTY WITHIN 500 FEET OF PROJECT XXX

[illegible]

AMOUNT OF DEPOSIT: **25.00** CHECK NUMBER: **1461**

TOTAL CHARGES:

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
RECEIPT OF ESCROW RECEIVED:

DATE RECEIVED: 01-03-07

FOR: ESCROW 07-01

FROM:

Yury Matsuka
2648 Liberty Ridge
New Windsor, NY 12553

CHECK FROM:

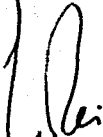
SAME

CHECK NUMBER: 1460

TELEPHONE: 569-1629

AMOUNT: 300.00

RECEIVED AT COMPTROLLER'S OFFICE BY:



NAME

1/8/07

DATE

PLEASE RETURN ONE SIGNED COPY TO MYRA FOR FILING

THANK YOU

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT
#15-2007

01/08/2007

Matsuka, Yury

Received \$ 50.00 for Zoning Board Fees, on 01/08/2007. Thank you for
stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

ZBA #07-01
application fee.

AFFIDAVIT OF MAILING

**ZONING BOARD OF APPEALS: TOWN OF NEW WINDSOR
COUNTY OF ORANGE: STATE OF NEW YORK**

-----X

In the Matter of the Application for Variance of

YURY MATSUKA

**AFFIDAVIT OF
SERVICE
BY MAIL**

#07-01

X

STATE OF NEW YORK)

) SS:

COUNTY OF ORANGE)

MYRA L. MASON, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 131 Mt. Airy Road, New Windsor, NY 12553.

That on the 23RD day of **FEBRUARY**, 2007, I compared the 99 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor's Office regarding the above application for a variance and I find that the addresses are identical to the list received. I then placed the envelopes in a U.S. Depository within the Town of New Windsor.

Sworn to before me this

Myra L. Mason
Myra L. Mason, Secretary

12th day of March, 2007

J. A. Gallagher
Notary Public

JENNIFER GALLAGHER
Notary Public, State of New York
No. 01GA609024
Qualified in Orange County
Commission Expires 10/30/12



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4631
Fax: (845) 563-3101

Assessors Office

January 23, 2007

Yury Matsuka
2648 Liberty Ridge
New Windsor, NY 12553

Re: 77-1-6

ZBA#: 07-01

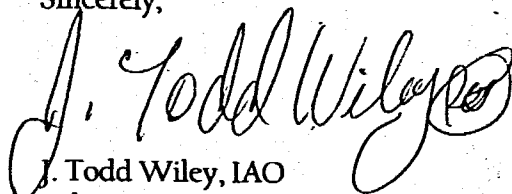
Dear Home Owner:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$115.00 minus your deposit of \$25.00.

Please remit the balance of \$90.00 to the Town Clerk's Office.

Sincerely,


J. Todd Wiley, IAO
Sole Assessor

JTW/rah
Attachments

CC: Myra Mason, Zoning Board

64-2-27

AGUSTINO &
MILAGROS DOREGO
2651 LIBERTY RIDGE
NEW WINDSOR, NY 12553

64-2-28

MARIO &
THERESA BULLICER
2649 LIBERTY RIDGE
NEW WINDSOR, NY 12553

64-2-29

CARL & MARGO BELL
2647 LIBERTY RIDGE
NEW WINDSOR, NY 12553

64-2-30

TIMMY & CARLA VAZQUEZ
2645 LIBERTY RIDGE
NEW WINDSOR, NY 12553

64-2-31

NORMAN &
DOREEN EDWARDS
2643 LIBERTY RIDGE
NEW WINDSOR, NY 12553

64-2-32

JOSE & SANDRA ALEMANY
2641 LIBERTY RIDGE
NEW WINDSOR, NY 12553

64-2-33

PAUL & DONNA ALVAREZ
2639 LIBERTY RIDGE
NEW WINDSOR, NY 12553

64-2-34.2

JUAN & MARICELY ZORILLA
2637 LIBERTY RIDGE
NEW WINDSOR, NY 12553

64-7-1

MT AIRY ESTATES INC
C/O SARNA ENTERPRISES
15 ENGLE ST.
ENGLEWOOD, NJ 07631

76-4-3

NORBERTO &
GLADYS MARQUEZ
3015 MOLLY PITCHER DR.
NEW WINDSOR, NY 12553

76-4-4

BIBI DAVID
3013 MOLLY PITCHER DR.
NEW WINDSOR, NY 12553

76-4-5

RAVEENDRA &
CHANDRIKA RAO
3011 MOLLY PITCHER DR.
NEW WINDSOR, NY 12553

76-4-6

DANIEL ESPINOZA
3009 MOLLY PITCHER DR.
NEW WINDSOR, NY 12553

76-4-7

MICHAEL &
MICHELLE DELVECCHIO
3007 MOLLY PITCHER DR.
NEW WINDSOR, NY 12553

76-4-8

MIRKO &
SANDRA LEVASSEUR
3005 MOLLY PITCHER DR.
NEW WINDSOR, NY 12553

76-4-9

JEFFERSON LOUIS &
MARIE BRUNO
3003 MOLLY PITCHER DR.
NEW WINDSOR, NY 12553

76-4-11

NOEL & DAISY FRANCO
2032 INDEPENDENCE DR.
NEW WINDSOR, NY 12553

76-4-12

GAURAV & MONIKA SURI
2034 INDEPENDENCE DR.
NEW WINDSOR, NY 12553

76-4-13

THOMAS &
MARYBETH HURLEY
2036 INDEPENDENCE DR.
NEW WINDSOR, NY 12553

76-4-14

ISRAEL PEREZ &
THEREZABETH GARCIA
2038 INDEPENDENCE DR.
NEW WINDSOR, NY 12553

76-4-15

JUAN CURILLO &
ANITA PINOS
2040 INDEPENDENCE DR.
NEW WINDSOR, NY 12553

76-4-16

RAKOWSKI FAMILY
2042 INDEPENDENCE DR.
NEW WINDSOR, NY 12553

76-4-17

MICHAEL &
CHARISSE DEAS
2044 INDEPENDENCE DR.
NEW WINDSOR, NY 12553

76-4-18

ROBERT & JANET GARCIA
2046 INDEPENDENCE DR.
NEW WINDSOR, NY 12553

76-4-19

STEVEN & DARLENE FORD
2048 INDEPENDENCE DR.
NEW WINDSOR, NY 12553

76-4-20

JASON &
PAULINE HONECKER
2050 INDEPENDENCE DR.
NEW WINDSOR, NY 12553

76-6-1, 77-12-1

MT AIRY ESTATES INC
C/O SARNA ENTERPRISES
15 ENGLE ST. SUITE 100
ENGLEWOOD, NJ 07631

77-1-1

JEANETTE CAMPBELL
2633 LIBERTY RIDGE
NEW WINDSOR, NY 12553

77-1-2

JUAN NIEVES & JURADO ENIS
2640 LIBERTY RIDGE
NEW WINDSOR, NY 12553

77-1-3

EDWARD VENEZIA &
NADIA GODBOUT
2642 LIBERTY RIDGE
NEW WINDSOR, NY 12553

77-1-4
ANNETTE &
GIOVANNI FLORES
2646 LIBERTY RIDGE
NEW WINDSOR, NY 12553

77-1-7
SHAWN &
EBONY CARTER
2650 LIBERTY RIDGE
NEW WINDSOR, NY 12553

77-1-8
DEREK &
MARITZA BARBIER
2652 LIBERTY RIDGE
NEW WINDSOR, NY 12553

77-1-9
ANTHONY & KERRI BIANCHI
2654 LIBERTY RIDGE
NEW WINDSOR, NY 12553

77-1-10
JOSE & MAYE TERRAZOLA
2656 LIBERTY RIDGE
NEW WINDSOR, NY 12553

77-1-11
PIERRE &
STEPHANIE PERCY
2658 LIBERTY RIDGE
NEW WINDSOR, NY 12553

77-1-12
JEROME &
ANGELICA HERNANDO
2059 INDEPENDENCE DR.
NEW WINDSOR, NY 12553

77-1-13
LUIS CHRISTINE DIAZ
2804 CHERRY TREE WAY
NEW WINDSOR, NY 12553

77-1-14
ERIC & LINDA SPISANY
2806 CHERRY TREE WAY
NEW WINDSOR, NY 12553

77-1-15
BRIAN & MARIA LEWIS
2808 CHERRY TREE WAY
NEW WINDSOR, NY 12553

77-1-16
JUNIOR GONSALVES
2810 CHERRY TREE WAY
NEW WINDSOR, NY 12553

77-1-17
RICHARD &
JOSEPHINE ROMANO
2812 CHERRY TREE WAY
NEW WINDSOR, NY 12553

77-1-18
DONALD &
KARLENE MITCHELL
2814 CHERRY TREE WAY
NEW WINDSOR, NY 12553

77-1-19
DONALD &
KATHLEEN DEMATTEO
2816 CHERRY TREE WAY
NEW WINDSOR, NY 12553

77-1-20
EDUARDO &
ELIZABETH GUERRERO
2818 CHERRY TREE WAY
NEW WINDSOR, NY 12553

77-1-21
DENIS & JACQUELINE ALLEN
2820 CHERRY TREE WAY
NEW WINDSOR, NY 12553

77-1-22
JAMES WALLACE &
STACEY MILLER
2822 CHERRY TREE WAY
NEW WINDSOR, NY 12553

77-1-23
MARK & TINA GOLDENBERG
2824 CHERRY TREE WAY
NEW WINDSOR, NY 12553

77-1-24
JEAN PIERRE NERVA &
LUDE BELONY
2826 CHERRY TREE WAY
NEW WINDSOR, NY 12553

77-2-1
JOSE & SANDRA MARIN
2825 CHERRY TREE WAY
NEW WINDSOR, NY 12553

77-2-2
RICHARD &
LAURA SMACCCHIA
2823 CHERRY TREE WAY
NEW WINDSOR, NY 12553

77-2-3
DONALD &
PAULETTE EASTERLIN
2821 CHERRY TREE WAY
NEW WINDSOR, NY 12553

77-2-4
BENEDETTO &
KELLY ALLEGRA
2819 CHERRY TREE WAY
NEW WINDSOR, NY 12553

77-2-5
JOHN & EVA LEE
2817 CHERRY TREE WAY
NEW WINDSOR, NY 12553

77-2-6
NOLAN & MADELINE PADILLA
2815
CHERRY TREE WAY
NEW WINDSOR, NY 12553

77-2-7
CARMELO & LYDIA TAVERNA
2813 CHERRY TREE WAY
NEW WINDSOR, NY 12553

77-2-8
DANIEL & LYDIA BONILL
2811 CHERRY TREE WAY
NEW WINDSOR, NY 12553

77-2-9
ANTONINO &
MARIA TOMMASI
2809 CHERRY TREE WAY
NEW WINDSOR, NY 12553

77-2-10
SALVATORE &
ANGELA ALLEGRA
2807 CHERRY TREE WAY
NEW WINDSOR, NY 12553

77-2-11
ANTONIO & LAURA NASTRO
2805 CHERRY TREE WAY
NEW WINDSOR, NY 12553

64-2-15
JOEL & THERESA GURRIERI
2051 INDEPENDENCE DR.
NEW WINDSOR, NY 12553

64-2-25
RICHARD & ROSA WALKER
2655 LIBERTY RIDGE
NEW WINDSOR, NY 12553

64-2-16
BABY & SHANTEE THOMAS
2049 INDEPENDENCE DR.
NEW WINDSOR, NY 12553

64-2-26
ROLLY & SUSANA TINA
2653 LIBERTY RIDGE
NEW WINDSOR, NY 12553

64-2-17
DOUGLAS PETTUS &
VIRNA JUSINO
2047 INDEPENDENCE DR.
NEW WINDSOR, NY 12553

64-2-18
MELBA SANDS
2045 INDEPENDENCE DR.
NEW WINDSOR, NY 12553

64-2-19
DON *abb* &
SABRINA CAMBRIDGE
2043 INDEPENDENCE DR.
NEW WINDSOR, NY 12553

64-2-20
STANLEY & BEENA GEORGE
2041 INDEPENDENCE DR.
NEW WINDSOR, NY 12553

64-2-21
JOHN & EILEEN WEBER
2039 INDEPENDENCE DR.
NEW WINDSOR, NY 12553

64-2-22
GEORGE & ANNMARIE WEIR
2037 INDEPENDENCE DR.
NEW WINDSOR, NY 12553

64-2-23
MT. AIRY ESTATES INC.
C/O SARNA ENTERPRISES
15 ENGLE ST. SUITE 100
ENGLEWOOD, NJ 07631

64-2-24
JOHN & DANA MILLER
2657 LIBERTY RIDGE
NEW WINDSOR, NY 12553

77-2-11
ANTONIO & LAURA NASTRO
2805 CHERRY TREE WAY
NEW WINDSOR, NY 12553

77-2-12
RAMON JR. &
RAMON CARDONA, SR.
2803 CHERRY TREE WAY
NEW WINDSOR, NY 12553

77-2-13
LARRY FRAZIER
2801 CHERRY TREE WAY
NEW WINDSOR, NY 12553

77-2-14
JOHN & GLORIA BROWN
2702 COLONIAL DR.
NEW WINDSOR, NY 12553

77-2-15
ARETHA &
NORA ANTWI-ADJEI
2704 COLONIAL DR.
NEW WINDSOR, NY 12553

77-2-16
MARIA STEWART
2706 COLONIAL DR.
NEW WINDSOR, NY 12553

77-2-17
CHRISTOPHER &
JENNIFER BAUTISTA
2708 COLONIAL DR.
NEW WINDSOR, NY 12553

77-2-18
LAVERNE BEY
2710 COLONIAL DR.
NEW WINDSOR, NY 12553

77-2-19
MARK &
PATRICIA MAYBERRY
2712 COLONIAL DR.
NEW WINDSOR, NY 12553

77-2-20
JOHN & NICOLE WHITE
2714 COLONIAL DR.
NEW WINDSOR, NY 12553

77-2-21
VIVEK & VAIDEHI PHADNIS
2716 COLONIAL DR.
NEW WINDSOR, NY 12553

77-2-22
BRIAN & CAROLE MCCUE
2718 COLONIAL DR.
NEW WINDSOR, NY 12553

77-2-23
EMANUEL & ANELYN SUAZO
2720 COLONIAL DR.
NEW WINDSOR, NY 12553

77-2-24
CRAIG & VALERIE BARNES
2722 COLONIAL DR.
NEW WINDSOR, NY 12553

77-2-25
WELLS FARGO BANK
3476 STATEVIEW BLVD.
FORT MILL, SC 29715

77-2-26
ROBERT &
ZORAIDA MARQUEZ
2726 COLONIAL DR.
NEW WINDSOR, NY 12553

77-6-3
ELLIOT &
JENNIFER GAZTAMBIDE
2723 COLONIAL DR.
NEW WINDSOR, NY 12553

77-6-4
JOSEPH &
JODI ANTONACCI
2721 COLONIAL DR.
NEW WINDSOR, NY 12553

77-6-5
BARRY &
JOANNE WASHINGTON
2719 COLONIAL DR.
NEW WINDSOR, NY 12553

77-6-6
DRIAN &
DIANNA MCLEAN
2717 COLONIAL DR.
NEW WINDSOR, NY 12553

77-6-7
HARVEY MATHIS &
LYDIA ALVAREZ
2715 COLONIAL DR.
NEW WINDSOR, NY 12553

77-6-8
MICHAEL &
MICHELLE THOMAS
2713 COLONIAL DR.
NEW WINDSOR, NY 12553

77-6-9
JAMES PORTER &
LEO CARMELLE MATHELIER
2711 COLONIAL DR.
NEW WINDSOR, NY 12553

77-6-10
NEAL & THERESA IAQUINTA
2709 COLONIAL DR.
NEW WINDSOR, NY 12553

77-6-22
JERI & CHERYL KOCIK
2616 LIBERTY RIDGE
NEW WINDSOR, NY 12553

77-6-23
EDWARD & REGINA DAVIS
2618 LIBERTY RIDGE
NEW WINDSOR, NY 12553

77-6-24
IRINA SIMKNOVICH
2620 LIBERTY RIDGE
NEW WINDSOR, NY 12553

PUBLIC HEARING NOTICE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

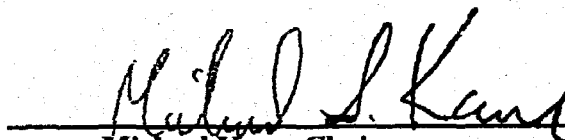
Appeal No. 07-01

Request of YURY MATSUKA

for a VARIANCE of the Zoning Local Law to Permit:

Request for 10 ft. Rear Yard Setback for proposed 12' X 17' rear deck at 2648 Liberty Ridge (The Reserve) in an R-3 Zone (77-1-6)

PUBLIC HEARING will take place on MARCH 12, 2007
at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York
beginning at 7:30 P.M.



Michael Kane, Chairman



**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**



APPLICATION FOR VARIANCE

_____ **Application Type:** Use Variance ☐ Area Variance ☒
Date _____ Sign Variance ☐ Interpretation ☐

I. **Owner Information:** Yury V. MATSUKA Phone Number: (845) 569-1629 (H)
(Name) Fax Number: (845) 602-4350 (W)
2648 Liberty Ridge, New Windsor NY 12553
(Address)

II. **Applicant:** Yury V. MATSUKA Phone Number: (845) 569-1629 (H)
(Name) Fax Number: (845) 602-4350 (W)
2648 Liberty Ridge, New Windsor NY 12553
(Address)

III. **Forwarding Address, if any, for return of escrow:** Phone Number: ()
Fax Number: ()
(Name)

(Address)

IV. **Contractor/Engineer/Architect/Surveyor/:** Phone Number ()
Fax Number: ()
(Name)

(Address)

V. **Property Information:**
Zone: R-3 Property Address in Question: _____
Lot Size: _____ Tax Map Number: Section 77 Block 1 Lot 6
a. What other zones lie within 500 feet? _____
b. Is pending sale or lease subject to ZBA approval of this Application? _____
c. When was property purchased by present owner? _____
d. Has property been subdivided previously? _____ If so, When: _____
e. Has an Order to Remedy Violation been issued against the property by the
Building/Zoning/Fire Inspector? _____
f. Is there any outside storage at the property now or is any proposed? _____

******PLEASE NOTE:*******

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF
SUBMITTAL.**

COMPLETE THIS PAGE ☐

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

VIII. AREA VARIANCE: (This information will be on your Building Department Disapproval form you receive)

Area Variance requested from New Windsor Zoning Local Law,

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area			
Min. Lot Width			
Reqd. Front Yd.			
Reqd. Side Yd.			
Reqd. Rear Yd.	30'	20'	10'
Reqd. St Front*			
Max. Bldg. Hgt.			
Min. Floor Area*			
Dev. Coverage*			
Floor Area Ration**			
Parking Area			

*Residential Districts Only

**Non-Residential Districts Only

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

COMPLETE THIS PAGE ☐

XII. ADDITIONAL COMMENTS:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)
-
-

XIII. ATTACHMENTS REQUIRED:

- ☐ Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- ☐ Copy of site plan or survey (if available) showing the size and location of the lot, buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☐ Copies of signs with dimensions and location.
- ☐ Three checks: (each payable to the TOWN OF NEW WINDSOR)
- ☐ One in the amount of \$ 300.00 or 500.00 (escrow)
- ☐ One in the amount of \$ 50.00 or 150.00 (application fee)
- ☐ One in the amount of \$ 25.00 (Public Hearing List Deposit)

- ☐ Photographs of area that variance(s) is/are being requested for showing relationship to property lines (5 or 6) from several angles. (IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER – PLEASE SUBMIT FOUR (4) SETS OF THE PHOTOS.)

XIV. AFFIDAVIT.

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE) *Rockland*

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

Sworn to before me this:

28th day of *November* 20*06*.

Y. Matsuka

Owner's Signature (Notarized)

YURY V. MATSUKA

Owner's Name (Please Print)

Joan L. Tighe

Signature and Stamp of Notary

JOAN L. TIGHE
Notary Public, State of New York
No 01TI5062141
Qualified in Rockland County
Commission Expires June 24 *2010*

Applicant's Signature (If not Owner)

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

COMPLETE THIS PAGE ☐

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

- IX. In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:

I would like to build the deck
to enjoy my backyard / outdoor living.

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

COMPLETE THIS PAGE ☐



TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, NY 12553
(845) 563-4615 (MYRA MASON)



ZONING BOARD PROCEDURES

PLEASE READ AND COMPLETE THE ATTACHED APPLICATION FORMS WHERE IT APPLIES TO YOUR SITUATION (LOOK FOR HIGHLIGHT IN BOX IN LOWER RIGHT CORNER OF EACH PAGE) AND RETURN TO MYRA MASON (845-563-4615) AT THE ZONING BOARD OFFICE (LOCATED IN THE PLANNING BOARD & ENGINEERING OFFICE IN TOWN HALL) WITH THREE CHECKS MADE PAYABLE TO "THE TOWN OF NEW WINDSOR" AS FOLLOWS:

RESIDENTIAL: (Three Separate Checks Please)

APPLICATION FEE: \$ 50.00
*ESCROW: \$300.00
**DEPOSIT FOR PUBLIC HEARING LIST: \$ 25.00

MULTI-FAMILY: (Three Separate Checks Please)

APPLICATION FEE: \$150.00
*ESCROW: \$500.00
**DEPOSIT FOR PUBLIC HEARING LIST: \$ 25.00

COMMERCIAL: (Three Separate Checks Please)

APPLICATION FEE: \$150.00
*ESCROW: \$500.00
**DEPOSIT FOR PUBLIC HEARING LIST: \$ 25.00

INTERPRETATION: (Three Separate Checks Please)

APPLICATION FEE: \$150.00
*ESCROW: \$500.00
**DEPOSIT FOR PUBLIC HEARING LIST: \$ 25.00

UPON RECEIPT OF ALL APPLICABLE PAPERWORK AND CHECKS, YOU WILL BE SCHEDULED FOR THE NEXT AVAILABLE AGENDA FOR YOUR "PRELIMINARY MEETING". YOU DO NOT NEED YOUR PUBLIC HEARING LIST OR ENVELOPES FOR THIS FIRST (PRELIMINARY) MEETING.

*

ESCROW

IS TO COVER OUTSIDE PROFESSIONAL FEES SUCH AS ZBA ATTORNEY FEE, MINUTES OF YOUR PORTION OF THE MEETING, LEGAL ADS, ETC. THE BALANCE WILL BE RETURNED TO YOU UPON CLOSING FILE.

LIST OF PROPERTY OWNERS
WITHIN 500 FT. RADIUS OF
PROPERTY IN QUESTION:

APPROXIMATE COST FOR
PUBLIC HEARING LIST:

1-10 NAMES	25.00
11-20 NAMES	35.00
21-30 NAMES	45.00
31-40 NAMES	55.00
41-50 NAMES	65.00
51-60 NAMES	75.00
61-70 NAMES	85.00
71-80 NAMES	95.00
81-90 NAMES	105.00
91-100 NAMES	115.00

ANYTHING OVER 100 NAMES
IS \$1.00 EA. ADDITIONAL
NAME

PUBLIC HEARING LIST OF PROPERTY OWNERS

1. UPON RECEIPT OF ALL APPLICABLE CHECKS AND PAPERWORK, YOUR APPLICATION WILL BE PROCESSED AND YOUR \$25.00 DEPOSIT WILL BE SENT TO THE ASSESSOR'S OFFICE TO ORDER YOUR LIST OF PROPERTY OWNERS WITHIN 500 FEET. **(NOTE: YOU DO NOT NEED THIS LIST OR THE ENVELOPES FOR YOUR FIRST (PRELIMINARY) MEETING. Please do not call the Assessor's Office looking for your list – they will contact you when it is ready or if necessary, call Myra at 845-563-4615.**
2. WHEN THE ASSESSOR'S OFFICE NOTIFIES YOU THAT YOUR PUBLIC HEARING LIST IS READY, YOU MUST COME IN AND PAY THE BALANCE DUE FOR THE LIST. (THE LIST WILL BE PREPARED ON LABELS FOR YOUR CONVENIENCE). BRING ENOUGH ENVELOPES PREPARED WITH YOUR RETURN ADDRESS AND A REGULAR \$.39 STAMP WITH YOU....YOUR PUBLIC HEARING DATE WILL BE SET AT THIS TIME.
3. WHEN YOU COME IN TO PICK UP YOUR LIST, ALLOW YOURSELF ENOUGH TIME TO FINISH PREPARING THE MAILINGS HERE AT THE TOWN HALL. YOU WILL BE GIVEN ENOUGH "NOTICES OF PUBLIC HEARING" TO PUT ONE IN EACH ENVELOPE AND SEAL IT. (It may be easier for you if you bring self-sealing envelopes.)
4. **BRING THE COMPLETED ENVELOPES TO THE ZONING BOARD SECRETARY FOR MAILING. BY DOING IT THIS WAY, WE AVOID HAVING TO SEND EACH ENVELOPE "CERTIFIED MAIL" WHICH IS VERY COSTLY.**

NOTE:

THE ZBA MEETS ON THE 2ND AND 4TH MONDAY OF EACH MONTH UNLESS A HOLIDAY FALLS ON THAT DATE.

PROJECT I.D. NUMBER

617.21

SEQR

Appendix C

State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
 For UNLISTED ACTIONS Only

PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT /SPONSOR	2. PROJECT NAME
3. PROJECT LOCATION: Municipality _____ County _____	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map)	
5. IS PROPOSED ACTION: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY:	
7. AMOUNT OF LAND AFFECTED: Initially _____ acres Ultimately _____ acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe: _____	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency(s) and permit/approvals	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency name and permit/approval	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: _____ Date: _____ Signature: _____	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)

<p>A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12? If yes, coordinate the review process and use the FULL EAF.</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.8? If No, a negative declaration may be superseded by another involved agency.</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)</p> <p>C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:</p> <p>C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:</p> <p>C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:</p> <p>C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:</p> <p>C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:</p> <p>C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:</p> <p>C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:</p>	
<p>D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, explain briefly</p>	

PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

- ☐ Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.
- ☐ Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide on attachments as necessary, the reasons supporting this determination:

Name of Lead Agency

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (If different from responsible officer)

Dante

APPLICANT/OWNER PROXY STATEMENT
(for professional representation)

for submittal to the:
TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS

MR. YURY MATSUKA, deposes and says that he resides
(OWNER)
at 2648 Liberty Ridge, New Windsor NY 12553 in the County of Orange
(OWNER'S ADDRESS)

and State of New York and that he is the owner of property tax map
(Sec. 77 Block 1 Lot 6)
designation number (Sec. Block Lot) which is the premises described in
the foregoing application and that he authorizes:

~~Mr. Yury Matsuka~~ MICHAEL E. DOW YM
(Applicant Name & Address, if different from owner)

A. Rose Design, Inc., P.O. Box 2, Westtown NY 10998 — Mike Dow
(Name & Address of Professional Representative of Owner and/or Applicants)

to make the foregoing application as described therein.

Date: December 11, 2006

Sworn to before me this:
11th day of December 2006

** Y. Matsuka
Owner's Signature (MUST BE NOTARIZED)

Applicant's Signature (if different than owner)
Michael E. Dow
Representative's Signature

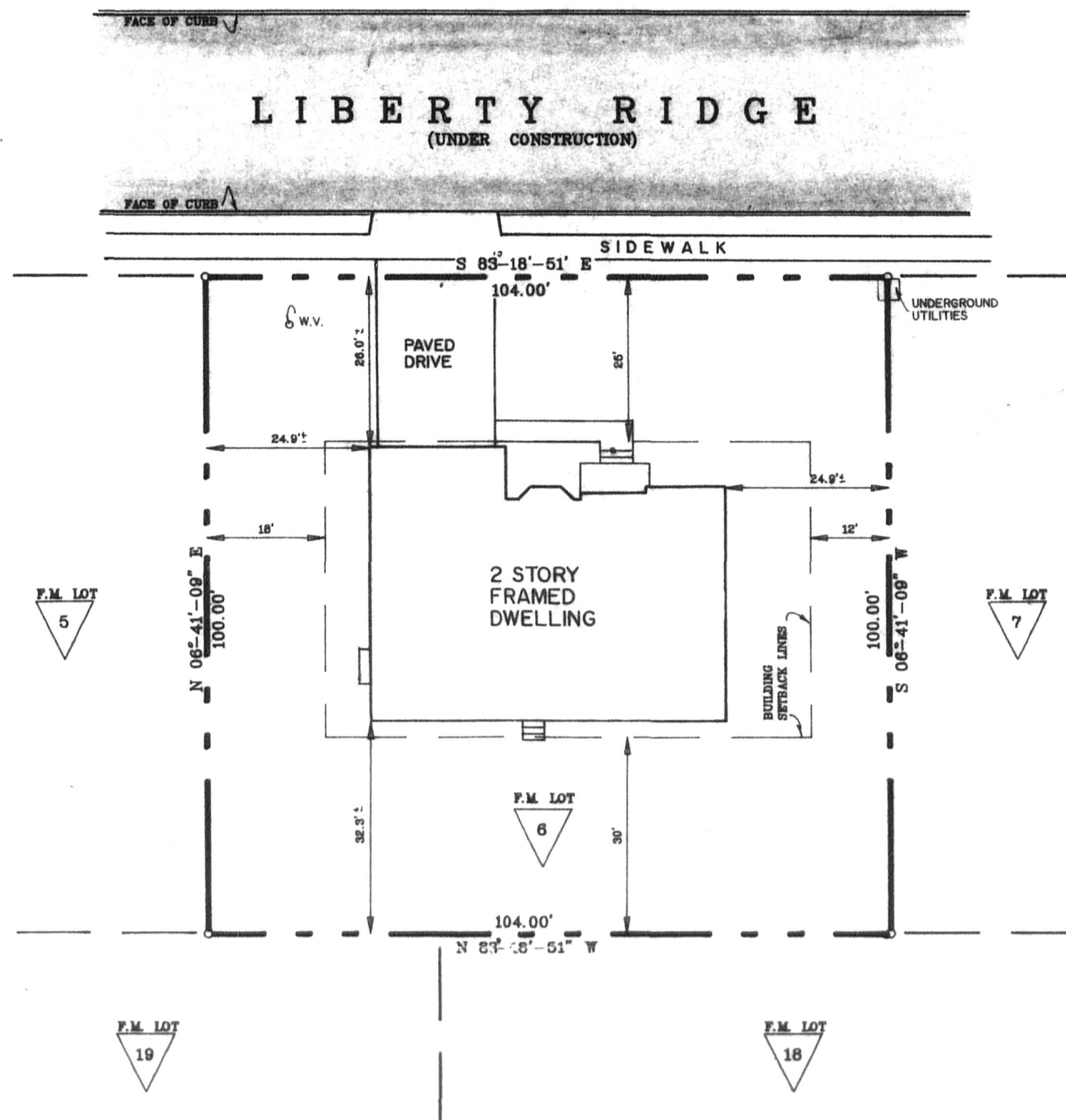
[Signature]
Signature and Stamp of Notary

THIS FORM IS TO BE COMPLETED ONLY IF SOMEONE OTHER THAN THE PROPERTY OWNER WILL BE APPEARING AS REPRESENTATION OF THE OWNER AT THE ZBA MEETINGS.

**** PLEASE NOTE:
ONLY OWNER'S SIGNATURE MUST BE NOTARIZED.**

ROSEANN D. JASTROW
NO. 01JA6085816
QUALIFIED IN ROCKLAND COUNTY
MY COMMISSION EXPIRES 01-06-2007

COMPLETE THIS PAGE ☐



AREA:
0.239 Ac.±

AUGUST 2, 2004

I HEREBY CERTIFY TO YURY MATSUKA, NEW WINDSOR DEVELOPMENT COMPANY, LLC, FIRST AMERICAN TITLE INSURANCE COMPANY OF NEW YORK and JP MORGAN CHASE BANK, its successors and/or assigns as their interests may appear THAT THIS IS A TRUE AND ACCURATE SURVEY PERFORMED IN THE FIELD.

TAX MAP REFERENCE:

TOWN OF NEW WINDSOR
SECT. 77, BLK. 1, LOT 6

FILED MAP REFERENCE:

BEING LOT 6, BLOCK 'I' OF A FILED SUBDIVISION MAP ENTITLED "MOUNT AIRE ESTATES" AND FILED IN THE ORANGE COUNTY CLERK'S OFFICE AS MAP #3485 ON JUNE 20, 1975.

NOTES:

UNAUTHORIZED ALTERATIONS OR ADDITIONS TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUBDIVISION 2 OF THE NEW YORK STATE EDUCATION LAW.

THE ALTERATION OF SURVEY MAPS BY ANYONE OTHER THAN THE ORIGINAL PREPARER IS MISLEADING, CONFUSING AND NOT IN THE GENERAL WELFARE AND BENEFIT OF THE PUBLIC. LICENSED LAND SURVEYORS, OR OTHER, SHALL NOT ALTER SURVEY MAPS, PLANS OR PLATS PREPARED BY OTHERS.

ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MAP MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S INKED SEAL OR EMBOSSED SEAL SHALL BE CONSIDERED TO BE VALID.

CERTIFICATIONS INDICATED HEREON SIGNIFY THAT THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE EXISTING CODE OF PRACTICE FOR LAND SURVEYORS ADOPTED BY THE STATE OF NEW YORK ASSOCIATION OF PROFESSIONAL LAND SURVEYORS. SAID CERTIFICATIONS SHALL RUN ONLY TO THE PERSON FOR WHOM THE SURVEY IS PREPARED, AND ON HIS BEHALF TO THE TITLE COMPANY, GOVERNMENTAL AGENCY, AND LENDING INSTITUTION LISTED HEREON. CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.

THIS SURVEY IS SUBJECT TO ANY EASEMENTS, RIGHTS OF WAY OR RESTRICTIONS OF RECORD AN ABSTRACT OF TITLE MAY DISCLOSE.

SUBSURFACE STRUCTURES AND/OR UTILITIES WHICH WERE NOT VISIBLE AT THE TIME OF THIS FIELD SURVEY MAY NOT BE SHOWN.

III
J
C



**LEO J. CARROLL, P.E., L.S.
& ASSOCIATES**

83 Cemetery Rd, Middletown, NY 10940 (845) 343-7994

PROPERTY SURVEY

FOR:
YURY MATSUKA
LIBERTY RIDGE
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

REVISED:
7-19-04
8-2-04

SCALE:
1" = 20'
DATE:
4-23-03

DRAWN:
J.E.S.

CHECKED:
S.L.P.

SHEET NO.

1



SUSAN L. PLASS, N.Y.S. L.S.
#50317